

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Jose L. Linares
	:	
v.	:	Criminal No. 95-70
	:	
OMAR TORRES-MONTALVO	:	<u>ORDER</u>
	:	

These matters having come before the Court by pro se submissions from the Defendant, Omar Torres-Montalvo, with respect to (1) a motion to stop the accrument of interest on the fine imposed on the defendant at sentencing, see Docket entry 1; (2) a motion for leave to proceed *in forma pauperis*, see Docket entry 6; (3) a motion to reduce his sentence under Federal Rule of Criminal Procedure 35(b), see Docket entry 7; and (4) a motion for the issuance of a subpoena under Federal Rule of Criminal Procedure 17(b), see Docket entry 8; and the Government having responded to Defendant's motions by letter dated April 21, 2010; and the Defendant having replied by submission filed May 26, 2010; and the Court having considered the arguments of the parties and the applicable caselaw; and the Defendant having failed to satisfy the threshold burden required by Federal Rule of Criminal Procedure 35(b) and applicable caselaw, thereby not qualifying for a hearing that could permit a subpoena for witness testimony; and the Defendant having failed to establish an inability to pay the fine imposed at his sentencing, plus interest, or any fees that may correspond to the filing of his motions; and for good cause shown,

IT IS on this 12 day of JULY 2010,

ORDERED that all motions filed by Defendant Omar Torres-Montalvo be and hereby are **DENIED** and **DISMISSED**.



HONORABLE JOSE L. LINARES
UNITED STATES DISTRICT JUDGE